IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

FIRST APPEAL No. 454 of 2007
To
FIRST APPEAL No. 455 of 2007

For Approval and Signature:

HONOURABLE MR.JUSTICE JAYANT PATEL

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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NEW INDIA ASSURANCE CO. LTD - Appellant(s)
Versus
FIROZ MOHMEDBHAI SHEIKH & 7 - Defendant(s)

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Appearance :

MR PV NANAVATI for Appellant(s) : 1,MR VIBHUTI NANAVATI for Appellant(s) : 1,
SERVED BY RPAD - (N) for Defendant(s) : 1,
RULE SERVED for Defendant(s) : 1, 3, 8,
RULE UNSERVED for Defendant(s) : 2,
MR MAULIK J SHELAT for Defendant(s) : 4, 7,
MR GC RAY for Defendant(s) : 5 - 6.

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CORAM : HONOURABLE MR.JUSTICE JAYANT PATEL

Date : 18/09/2007

ORAL JUDGMENT

1. Mr.Thomas for Mr.Nanavati, learned Counsel

states that in view of the order dated 30.7.2007 passed by this Court (Coram: D.N.Patel, J.) in Appeal From Order No.115 of 2007 with Appeal From Order No.116 of 2007, both the present appeals would not survive and, therefore, he states that the appeals be disposed of accordingly.

2. Mr.Shelat, learned Counsel for the concerned respondent has no objection for such purpose.

3. The appeals are disposed of as not surviving in view of the declaration made in the Court. The amount, if any, deposited and if not transmitted to the Tribunal, shall be returned to the Appellant(s).

18.9.2007 **(Jayant Patel, J.)**

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